

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION**

PEGGY ROIF ROTSTAIN, *et al.*,

§

Plaintiffs,

§

and

Civil Action No. 3:09-CV-2384-N-BG

THE OFFICIAL STANFORD  
INVESTORS COMMITTEE,

§

Intervenor,

§

vs.

§

TRUSTMARK NATIONAL BANK, *et al.*,

§

Defendants.

§

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**HSBC'S MOTION TO DISMISS PLAINTIFFS' SECOND AMENDED CLASS ACTION  
COMPLAINT AND BRIEF IN SUPPORT**

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Defendant HSBC Bank plc (“HSBC”) moves to dismiss the claims asserted against it in Plaintiffs’ Second Amended Class Action Complaint (Dkt. # 279) for all the same reasons articulated *Trustmark National Bank’s Motion to Dismiss Plaintiffs’ Second Amended Class Action Complaint* and brief in support (Dkt. # 293) and *The Toronto-Dominion Bank and Independent Bank’s Joint Motion to Dismiss the Second Amended Class Action Complaint* and brief in support (Dkt. ## 296, 297). Rather than re-brief the same issues already briefed by its co-defendants, HSBC hereby joins in the motions and briefs filed by Trustmark, T-D Bank, and Independent Bank and incorporates the arguments and authorities therein into this motion.

For purposes of preserving the issue for appeal, HSBC also moves to dismiss the Class Plaintiffs’ claims against it for lack of personal jurisdiction. HSBC already briefed the grounds

of its personal jurisdiction challenge in HSBC's motion to dismiss the First Amended Petition (Dkt. # 28) and HSBC's motion to dismiss OSIC's Second Intervenor Complaint (Dkt. # 155). HSBC incorporates the arguments and authorities made in those motions into this motion as well.

Dated: July 14, 2015.

Respectfully,

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**CERTIFICATE OF SERVICE**

I certify that on July 14, 2015, I filed this document using the Court's Electronic Case Filing ("ECF") system, which will automatically deliver a notice of electronic filing to each party's attorneys of record, who are registered ECF users. Delivery of such notice of electronic filing constitutes service of this document as contemplated by Rule 5 of the Federal Rules of Civil Procedure. *See LR 5.1.*

/s/ *Taylor F. Brinkman*